

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

JOHN P. POLCASTRO, SR.,)

Plaintiff,)

V.

Civil Action No. 1:05-cv-00909-MEF-VPM

GREG WARD, et al.,)

Defendants.)

DEFENDANTS' MOTION FOR EXTENSION OF TIME

COME NOW Sheriff Greg Ward, Carl Rowe, Donald Weeks, and Ray Mock, Defendants in the above-styled cause and move this Honorable Court for an extension of time of 21 days in which to file their Special Report and Answer which is currently due on November 8, 2005. As grounds for said motion, Defendants state as follows:

1. On September 29, 2005, this Court entered an Order directing the Defendants to file a Special Report in the above-styled cause on or before November 8, 2005.
2. Counsel for the Defendants just received notice of this matter, along with a copy of the Complaint and Order for Special Report October 24, 2005.
3. Defendants are in need of this additional time to fully respond to the Plaintiff's allegations.
4. Defendants have not previously requested an extension of time in this case.
5. Plaintiff will not be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED Defendants respectfully request this Honorable Court grant their Motion for Extension of Time to file their Special Report and Answer up to and including November 29, 2005.

Respectfully submitted this the 3rd day of November, 2005.

s/C. Richard Hill, Jr.
C. RICHARD HILL, JR. Bar No. HIL045
Attorney for Defendants
WEBB & ELEY, P.C.
7475 Halcyon Pointe Drive
Post Office Box 240909
Montgomery, Alabama 36124
Telephone: (334) 262-1850
Fax: (334) 262-1889
E-mail: rhill@webbeley.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 3rd day of November, 2005, I have served the foregoing document on the following:

John P. Polcastro, Sr.
Geneva County Jail
PO Box 115
Geneva, AL 36340

by placing a true and correct copy of the foregoing in the U.S. Mail, postage prepaid, on this the 3rd day of November, 2005.

s/C. Richard Hill, Jr.
OF COUNSEL